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NRC TO FINE GRANDIN TESTING LAB \$2,500
FOR RADIOACTIVE GAUGE RULES VIOLATIONS

The Nuclear Regulatory Commission has proposed a \$2,500 civil penalty against Grandin Testing Lab, Inc., of Los Lunas, N.M., for using gauges containing radioactive material without proper licenses.

The company is licensed to use moisture/density gauges, which use a radioactive source to measure the compaction of soil at construction sites, in New Mexico, but NRC inspectors discovered that the company had committed a violation of NRC rules when work was done with the gauges at Kirtland Air Force Base in 1994 and 1995. Federal bases are under exclusive federal regulation, and companies employing radioactive materials there must obtain a separate federal license and pay additional license fees.

At a meeting held at NRC regional offices in Arlington, Texas, November 25, Robert E. Grandin, president of Grandin Testing Lab, said that he did not understand NRC requirements for an additional license. The Air Force sent the company a letter in February notifying it that license forms had not been submitted, but Grandin said the matter was handled by an employee. The employee obtained the forms but left the company for an extended period without completing them.

L. Joe Callan, NRC Region IV Regional Administrator, said, in a letter to Grandin Testing Lab, Inc., that the company displayed "a careless disregard" for federal requirements. "Your actions denied the NRC an opportunity to inspect and to assure that you were conducting your activities in accordance with all safety requirements," Mr. Callan said.

Mr. Callan also warned the company that further deliberate violations of NRC rules could lead to criminal and civil sanctions including banning the company from using instruments containing radioactive materials.

The company must respond to the Notice of Violation in writing within 30 days. The response must document specific actions taken to prevent recurrence of the violations. During this time the company may pay the fine or file a protest.